

FOX ROTHSCHILD LLP

Attorneys for Defendant Mitchell Supreme Fuel Company
100 Park Avenue, Suite 1500
New York, New York 10017
(212) 878-7900
Fax: (212) 692-0940

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TEAMSTERS LOCAL UNION NO. 469 AND
TEAMSTERS 469 WELFARE FUND AND ITS
BOARD OF TRUSTEES

Plaintiffs,

- against -

MITCHELL SUPREME FUEL COMPANY,

Defendant.

08-3153 (PGS)

**STIPULATION AND
[PROPOSED] ORDER
OF DISMISSAL**

The parties to this action, by and through their respective counsel of record, stipulate that the matter has been resolved between the parties and that settlement has been consummated; and,

The parties request that the Court enter an ORDER that this matter is DISMISSED WITH PREJUDICE, with each party to bear their respective costs.

Dated: May 5, 2009

Fox Rothschild LLP
Attorneys for Defendant

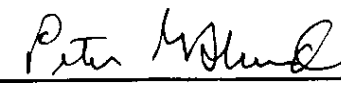
By: 

Timothy R. Hott, P.C.
Attorney for Plaintiffs

By: 

IT IS SO ORDERED.

Dated: May 18, 2009


U.S.D.J. Peter G. Sheridan